

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BARU, Moshe et al.

Confirmation No. 1205

Serial No: 10/553,357

Group Art Unit: 1654

Filed: July 13, 2006

Examiner: HA, Julie

For: **PHARMACEUTICAL COMPOSITION COMPRISING PROTEINS AND/OR
POLYPEPTIDES AND COLLOIDAL PARTICLES**

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owners, OPFERBAS HOLDING B.V., of 100% interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,930,087. The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above patent are commonly owned. This agreement runs with any patent granted, on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of the above application, and patents issuing therefrom, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under

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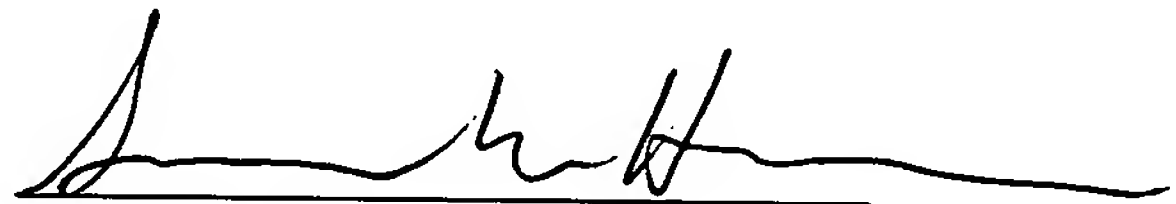
37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.
2. XXX The undersigned is an attorney of record.

Respectfully submitted,

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- X Terminal Disclaimer fee of under 37 CFR 1.20(d) is included.
X PTO suggested wording form terminal disclaimer was
X unchanged ☐ changed (if changed, an explanation should be supplied)

Date: January 4, 2008
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